

1 RICHARD H. RAHM, State Bar No. 130728  
LITTLER MENDELSON  
2 A Professional Corporation  
650 California Street  
3 20th Floor  
San Francisco, CA 94108.2693  
4 Telephone: 415.433.1940  
Facsimile: 415.399.8490  
5

6 JAMES J. OH, IL State Bar No. 6196413  
(*pro hac vice* application forthcoming)  
LITTLER MENDELSON  
7 A Professional Corporation  
200 N. LaSalle Street  
8 Suite 2900  
Chicago, Illinois 60601  
9 Tel: 312.372.5520  
Fax: 312.372.7880  
10

11 ANDREW J. VOSS, MN State Bar No. 0241556  
(*pro hac vice* application forthcoming)  
LITTLER MENDELSON  
12 A Professional Corporation  
80 South 8th Street  
13 1300 IDS Center  
Minneapolis, Minnesota 55402.2136  
14 Tel: 612.630.1000  
Fax: 612.630.9626  
15

16 Attorneys for Defendant  
NATIONWIDE MUTUAL INSURANCE  
COMPANY  
17

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20

21 FRANK FOSTER, PHILLIP WAMOCK,  
individually and on behalf of all others  
22 similarly situated, and on behalf of the  
general public,

23 Plaintiff,

24 v.

25 NATIONWIDE MUTUAL INSURANCE  
COMPANY,

26 Defendant.  
27  
28

Case No. C3:07-CV-4928

**[PROPOSED] ORDER GRANTING  
NATIONWIDE'S MOTION TO  
TRANSFER VENUE**

Date: November 30, 2007  
Time: 9:00 a.m.  
Court: 10

Before the Honorable Susan Illston

1 This matter came on for hearing in the above-entitled action on the Motion to  
2 Transfer Venue of Defendant Nationwide Mutual Insurance Company ("Nationwide") on November  
3 30, 2007. Richard H. Rahm, from the law firm of Littler Mendelson, P.C., appeared on behalf of  
4 Nationwide. Matthew C. Helland of the law firm of Nichols, Kaster & Anderson, LLP, appeared on  
5 behalf of Plaintiffs Frank Foster and Phillip Wamock ("Plaintiffs").

6 The Court has reviewed the papers submitted in support and in opposition to the  
7 Motion to Transfer, and has heard oral argument. Accordingly, the Court finds that this action could  
8 have been filed in the Southern District of Ohio, and because such a transfer would further the  
9 convenience of the parties and witnesses, and would be in the interests of justice, Nationwide's  
10 Motion to Transfer is **GRANTED**, and the Court orders this action to be transferred to the Southern  
11 District of Ohio.

12 **SO ORDERED.**

13  
14 Dated: \_\_\_\_\_

15  
16 \_\_\_\_\_  
17 Susan Illston  
18 United States District Judge

19 Firmwide:83299833.1 050511.1000  
20  
21  
22  
23  
24  
25  
26  
27  
28